

*Jennifer Louise Jenkins, Administrator ad Litem of the Estate of Sterling L. Higgins
v. Obion County, Tennessee, et al.*

No. 20-cv-01056 STA-dkv

Exhibit 3
Excerpts from the Deposition of Mary Broggin

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

JENNIFER LOUISE JENKINS,)
Administrator *ad Litem* of the)
ESTATE OF STERLING L. HIGGINS,)
Plaintiff,)
v.) CIVIL ACTION NO.
OBION COUNTY SHERIFF'S) 1:20-cv-01056-STA-dkv
DEPARTMENT; OBION COUNTY,)
TENNESSEE; UNION CITY POLICE)
DEPARTMENT; UNION CITY,)
TENNESSEE; ROBERT THOMAS)
ORSBORNE, Individually; MARY)
BROGLIN, Individually; WAYLON)
SPAULDING, Individually; and)
BRENDON SANFORD, Individually,)
Defendants.)

THE VIDEOTAPE DEPOSITION OF OFFICER MARY BROGLIN

October 29, 2020

SCHAFFER REPORTING SERVICE
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1 Q Would you tell me in your own words what you
2 recall happening on the morning of March 25, 2019, from
3 the time that Mr. Higgins came into your view there in
4 the jail and just sort of explain to me in your own
5 words what happened. Could you do that for me?

6 A Yes.

7 Q Well, go right ahead.

8 A When he was coming in, he started saying, "That's
9 her. She's got a gun." Then he come and -- he come
10 through 10 -- or he -- the door through 10 popped, and
11 he reached around and grabbed it and pulled it back on
12 him.

13 And Orsborne pushed him through the door. He
14 come -- he -- we kind of danced around a little bit
15 because he was jumping everywhere. And then he grabbed
16 ahold of me, and I pushed him back, and then he grabbed
17 me by my hair.

18 And then Waylon come up and grabbed him and told
19 him to let go of me. He told him twice, and the second
20 time he let go of me. And then they tripped and fell
21 to the ground. And Higgins was wrestling around. He
22 started spitting on Waylon.

23 He -- we were going to put him in a cell, in 11,
24 and they were still wrestling around. And Waylon said
25 that we were going to need to put him in the chair, so

1 A Right.

2 Q Did you ever take any kind of -- did you ever take
3 any kind of first aid class that you recall?

4 A No.

5 Q Were you certified in CPR before March 25, 2019?

6 A No.

7 Q And then the last photograph is marked as -- with
8 the letter I. And this is showing you doing what,
9 Ms. Brogglin?

10 A Picking up the shackles.

11 Q Okay. So you had taken the shackles off of
12 Mr. Higgins' legs before you -- he had entered cell 15?
13 Is that correct?

14 A Yes.

15 Q Okay. And I guess his legs were tied down by the
16 restraints on the chair. Is that correct?

17 A Yes.

18 Q Okay. And I know he was cuffed in the back of --
19 of -- of his body. Correct? He was cuffed from
20 behind; correct?

21 A Yes.

22 Q When he was placed in the restraint chair, did
23 you -- what did you do in terms of the cuffs behind his
24 back?

25 A I didn't ever do anything.

1 Mr. Higgins comes into the jail brought in there by
2 Officer Orsborne. Correct?

3 A Yes.

4 Q And what did you see Mr. Orsborne do to
5 Mr. Higgins as he was bringing him in?

6 A Higgins didn't want to come in, so he pushed him
7 through the door.

8 Q Okay. And what else was Higgins saying? I think
9 you may have told me this earlier, but what else was
10 Higgins saying?

11 A He was saying, "That's her. She's got a gun.
12 She's going to kill me."

13 Q Okay. And you didn't have a gun, did you?

14 A No.

15 Q And you didn't know what Mr. Higgins was talking
16 about, did you?

17 A No.

18 Q Did that sound kind of like crazy talk to you?

19 MR. MAULDIN: Object to form.

20 A Yeah.

21 Q (By Mr. Cooper) I mean, what did you think about
22 that statement when you heard Mr. Higgins say that?

23 A I didn't know what he was talking about.

24 Q All right. Let's start again.

25 (The video was resumed and paused.)

STATE OF TENNESSEE)
) C E R T I F I C A T E
)

I, Jill A. Schaffer, Registered Professional Reporter and Notary Public for the State of Tennessee, hereby certify that the witness in the foregoing deposition, **OFFICER MARY BROGGLIN**, was first duly sworn by me, that the testimony of the witness was written stenographically by me, and that such deposition is a true and accurate record of the testimony given by said witness on the 29th day of October, 2020.

I further certify that I am neither related to nor employed by any of the parties to this cause of action or their counsel, nor am I financially interested in the outcome of this matter.

I further certify that in order for this document to be authentic it must bear my original signature and embossed notarial seal, that reproduction in whole or in part is not allowed or condoned, and that such reproductions are deemed a forgery.

Witness my hand and seal at my office on
this the 23rd day of November, 2020.

My Commission Expires: Jill A. Schaffer, RPR, TN #375
August 25, 2021 Notary Public at Large for the
My License Expires: State of Tennessee
June 30, 2022